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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,725	11/16/2000	Ying Luo	A-68289-1/RMS/DHR	6653

7590 10/16/2002

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San Francisco, CA 94111-4187

EXAMINER

UNGAR, SUSAN NMN

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 10/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The communication filed on September 23, 2002 (Paper No. 12) is non-responsive to the prior Office Action because Applicant did not elect any group identified by Examiner for examination. Applicant states that "Applicant is unable to respond to the restriction requirement by electing a restricted group, as the restriction appears to be in error". Applicant further states that "Should a corrected restriction between claims 26-30 based on sequences be forthcoming, Applicant provisionally elects claims 27-30 drawn to SEQ ID NO:8". It is noted that none of Groups 1-10 are drawn to Applicant's provisionally elected group. Applicant is directed to Section 7 of Paper No. 11 wherein it is clearly stated that "the response to this requirement to be complete must include election of the invention to be examined even though the requirement be traversed". It is noted that Examiner left a message on the voice mail of R.M. Silva on October 10, 2002, requesting a call-back to discuss the matter. As of the mailing date of this Communication, there has been no response to Examiner's telephone message.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is the longer. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION MAY BE EXTENDED UP TO A MAXIMUM OF SIX MONTHS.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Ungar, PhD whose telephone number is (703) 305-2181. The examiner can normally be reached on Monday through Friday from 7:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, PhD, can be reached at (703) 308-3995. The fax phone number for this Art Unit is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Susan Ungar, PhD, Primary Patent Examiner, 1642